

REMARKS

STATUS OF CLAIMS

In response to the Office Action dated March 28, 2008, claims 7 and 8 are currently amended, claim 14 is currently canceled and claim 17 is added. Claims 1, 2, 4-13, 15 and 17 are now pending in this application. No new matter has been added.

OBJECTION TO THE SPECIFICATION

The specification has been objected to as the Examiner maintains that the amendment filed December 26, 2007 introduced new matter regarding the “file structure” of Figure 4 being a “file tree structure”.

By this Response, the paragraph beginning at page 13, line 9 has been amended to change “file tree structure” to “file structure”. Therefore, withdrawal of the objection to the specification is respectfully solicited.

REJECTION OF CLAIMS UNDER 35 U.S.C. § 112, FIRST PARAGRAPH

Claim 14 has been rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. The Examiner contends that “the original data and at least two sets of derivative data are managed as a tree structure” is not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

The rejection is moot as to canceled claim 14.

REJECTION OF CLAIMS UNDER 35 U.S.C. § 112, SECOND PARAGRAPH

Claims 7 and 8 have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. In support of this position, the Examiner maintains that there is insufficient antecedent basis for “the copying processing” and “the process for”.

By this response, dependent claim 7 has been amended to recite:

The data management method, as defined in Claim 6, wherein the copying *to generate the first derivative data* includes not only *a* process for sending the original data from a computer having the original data to another computer, but also *a* process for sending the first derivative data from a computer having the first derivative data to another computer.

In addition, dependent claim 8 has been amended to recite:

The data management method, as defined in Claim 7, wherein the computer having the original data is connected to the other computer to which the original data is sent through one of a network and a serial connection and the computer having the first derivative data is connected to the other computer to which the first derivative data is sent through one of the network and the serial connection.

Thus, amended claims 7 and 8, considered with claims 1 and 6, recite the invention with the degree of precision and particularity required by the statute. Therefore, it is respectfully urged that the rejection be withdrawn as to amended claims 7 and 8.

REJECTION OF CLAIMS UNDER 35 U.S.C. § 103

Claims 1, 2 and 4-15 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Meek et al. (U.S. Patent No. 7,092,969).

The rejection is moot as to canceled claim 14.

The rejections of claims 1, 2, 4-13 and 15 are respectfully traversed.

As noted in the previous response, in Meek et al., a source image data set is directly related to a plurality of derivative data sets. In contrast, in the present invention, an original data set is hierarchically (multi-generationally) related to a plurality of derivative data sets. Specifically, in the inventions recited in independent claims 1, 2 and 4, the original data is related to the first derivative data and also the first derivative data is related to the second derivative data. This feature is not disclosed in Meek et al.

In the present Office Action, the Examiner notes that Meek et al. is silent as to second derivative data being generated through editing processing on the first derivative data. Despite such failure of Meek et al., the Examiner maintains that one having ordinary skill in the art would have recognized that generating second derivative data through editing the first derivative data can be applied to the system of Meek et al. since Meek et al. generates first derivative data on the original data. However, there is no basis to make this presumption since Meek et al. is quite specific regarding source images and derivative images, but fails to disclose or suggest that the first derivative data is related to the second derivative data via the use of link information and editing information.

As also noted in the previous response, in Meek et al., the link information and the editing information are indirectly attached to the source image data via a repository database. In contrast, in the present invention, the link information and the editing information are directly attached to the original data. That is, Meek et al. discloses associating a "tag" with the new derivative image, which corresponds to attaching first link information and first editing information to the first derivative data. However, Meek et al. does not disclose or suggest

attaching the first link information and the first editing information to the source (original) image data.

In the present invention, the original data set can be hierarchically (multi-generationally) related to a derivative data set or a derivative data set can be hierarchically (multi-generationally) related to another derivative data set after hierarchically (multi-generationally) generating the derivative data sets according to the contents of editing processing. As a result, the accompanying information is decentrally-attached to either the original data set or the derivative data sets.

Finally, it is noted that in Meek et al., an additional metadata management system is required (see column 8, lines 48-50, column 10, lines 15-16 and lines 44-47). Such additional metadata management system is not needed in the present invention.

In view of the above, independent claims 1, 2 and 4 are patentable over Meek et al., as are dependent claims 5-13 and 15, as amended. Therefore, the allowance of claims 1, 2, 4-13 and 15 as amended, is respectfully solicited.

NEW CLAIM

One of the important features of the method and system disclosed in Meek et al. lies in the provision of a repository and a database system. However, the present invention does **NOT** require such a database system. In the present invention, the link information is directly attached to each of the original data and the derivative data, but the link information attached to the derivative data is different from the link information attached to the original data. The link

information attached to the original data represents the location of the derivative data, and the link information attached to the derivative data represents the location of the original data.

New claim 17 is submitted and is based upon original claim 1 and further delineates:

..., wherein
the link information attached to the original data represents the location of the derivative data, and
the link information attached to the derivative data represents the location of the original data.

This subject matter is supported by the description at page 11, lines 16 to 22 of the present application.

Meek et al. does not disclose or suggest that link information attached to the original data represents the location of the derivative data and link information attached to the derivative data represents the location of the original data. Consequently, new claim 17 is patentable over Meek et al. for reason in addition to the fact that it depends from claim 1, which is patentable over Meek et al. Therefore, the allowance of new claim 17 is respectfully solicited.

CONCLUSION

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Edward J. Wise (Reg. No. 34,523) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.


Application No.: 10/669,594
Reply to Office Action of March 28, 2008

Docket No.: 2091-0298P

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: August 26, 2008

Respectfully submitted,

By 

Marc S. Weiner
Registration No.: 32,181
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant